

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Pending before the Court is the Screening Order and Report & Recommendation, (ECF No. 24), of United States Magistrate Judge Brenda N. Weksler, recommending dismissing with prejudice Plaintiff Brandon Adams's ("Plaintiff's") 10 U.S.C. § 921 claim. Additionally, pursuant to Magistrate Judge Weksler's Screening Order, Plaintiff's complaint was dismissed with leave to amend. Magistrate Judge Weksler noted that "[i]f Plaintiff chooses to file an amended complaint, he must do so by May 28, 2023, or this Court will recommend that his case be dismissed." (Screening Order and R&R 5:16–18, ECF No. 24).

Also pending before the Court is the Report & Recommendation, (ECF No. 27), of Magistrate Judge Weksler. After the time for Plaintiff to file an amended complaint passed, Magistrate Judge Weksler issued the second Report & Recommendation, recommending that the case be dismissed without prejudice and closed.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge's findings and recommendations concern matters that may not be finally determined by a magistrate

1 judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the
2 findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R.
3 IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any
4 review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S.
5 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a
6 district court is not required to review a magistrate judge’s report and recommendation where
7 no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122
8 (9th Cir. 2003).

9 Here, no objections were filed, and the deadline to do so has passed. (*See* First Report &
10 Recommendation, ECF No. 24) (setting a May 12, 2023, deadline for objections); (*see also*
11 Second Report & Recommendation, ECF No. 27) (setting a June 26, 2023, deadline for
12 objections).

13 Accordingly,

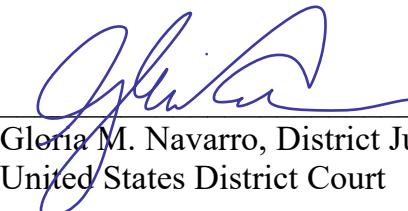
14 **IT IS HEREBY ORDERED** that the Screening Order and Report & Recommendation,
15 (ECF No. 24), is **ADOPTED in full**. Plaintiff’s claim under 10 U.S.C. § 921 is **DISMISSED**
16 **with prejudice**.

17 **IT IS FURTHER ORDERED** that the Report & Recommendation, (ECF No. 27), is
18 **ADOPTED in full**.

19 **IT IS FURTHER ORDERED** that the case is **DISMISSED without prejudice**. The
20 Clerk of Court is instructed to close the case.

21 Dated this 26 day of July, 2023.

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Gloria M. Navarro, District Judge
United States District Court